



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

EJK:JSR
F#2003R00064

*271 Cadman Plaza East
Brooklyn, New York 11201*

January 19, 2012

By ECF

The Honorable Sterling Johnson
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Hector Manuel Garcia
Criminal Docket No. 04-693 (SJ)

Dear Judge Johnson:

The government respectfully submits this letter in response to the above-referenced defendant's letter requesting that his supervised release be terminated. As explained below, the government respectfully submits that the Court should deny the request because the defendant has not stated an appropriate basis to support termination.

By way of background, in June 2004 Robert LaRosa and several other individuals were arrested after law enforcement officers working with the New York Drug Enforcement Administration's Task Force observed what appeared to be a narcotics transaction. In total, the observed transactions involving LaRosa totaled approximately 28 kilograms of cocaine. Subsequently, agents determined that the defendant Garcia was the individual responsible for transporting those kilograms of cocaine from Florida to LaRosa for distribution and he was arrested.

On December 21, 2005, the defendant pleaded guilty to one count of trafficking in cocaine. On June 1, 2007, he was sentenced by Your Honor to 41 months' imprisonment and five years of supervised release. To date, he has completed approximately one year and four months of his supervised release.

The determination of early release is a discretionary decision made by the district court. See United States v. Sheckley, 1997 WL 701370, at *1 (Table 129 F.3d 114) (2d Cir. 1997). Early termination is not warranted as a matter of course;

